6231722/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department – Departmental Proceedings initiated against Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 – Punishment of "withholding of 1 (one) increment with cumulative effect in addition to recovery of loss apportioned on Charged Officer i.e., total loss Rs.31,34,697/-, out of which, Rs.15,67,348/- being 50% share + Interest as per G.O.Ms.No.33 of Finance Department, dated 09.02.2006" against the Charged Officer – Imposed – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.52 **Dated:11.08.2022**

Read the following:

1)G.O.Rt.No.43, E.F.S. & T (Sec.IV) Department, dated 28.02.2017.
2)Memo.No.4703/Sec.IV/A1/2015, E.F.S. & T (Sec.IV) Dept., dated 18.09.2017.
3)G.O.Rt.No.56, E.F.S. & T. (Sec.IV) Department, dated 02.07.2021.
4)Memo.No.4703/Sec.IV/A1/2015-1, E.F.S. & T. (Sec.IV) Dept., dated 12.12.2021.
5)From Sri K. Ashok Kumar, Deputy Conservator of Forests, defence statement, dated 03.01.2022.
6)Letter.No.4703/Sec.IV/A1/2015, E.F.S. & T. (Sec.IV) Dept., dated 01.06.2022.
7)From the Secretary, APPSC, Lr.No.GAD03-APPSC0DCC/34/2022-DC SEC-APPSC Computer No.1750758, dated 18.07.2022.

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ORDER:

In the reference 1st read above, the following Articles of Charges were issued to Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal)Rules,1991:-

ARTICLE-I:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada took decision on his own and procured Woven Sacks for raising / conversion of bag plants during 2014-15 contrary to the existing norms / approved action plan, without bringing the facts properly to the notice of the District Collector, without getting permission from the higher ups and contrary to the instructions of the higher ups issued at the time of field inspection, as a result infructuous expenditure of Rs.1,23,64,287/-".

ARTICLE-II:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada exhibited gross negligence of duty and failed to take corrective measures and not given timely instructions to the subordinates and allowed the bills for the work which were not potential on his inspection, resulting infructuous expenditure of Rs.31,34,697/- on failure of nurseries".

ARTICLE-III:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada failed to monitor / maintain the ratio of wage / labour : material component at 60:40 in the light of NREGS Guidelines resulting adverse effect on the expenditure in material / labour component of the entire State under MGNREG scheme".

[P.T.O]

ARTICLE-IV:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada has executed agreements with the supplier before getting correct administrative approval from the District Collector and also exhibited disobedience towards the instructions of the higher authorities at the time of field inspection."

ARTICLE-V:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada failed to submit his fortnightly tour diaries as per the code provisions AP Forest Department code volume-I".

ARTICLE-VI:"That Sri K. Ashok Kumar, Divisional Forest Officer, Social Forestry Division, Vijayawada failed to discharge his legitimate duty in supervising the works carried out by the staff".

That, Sri K. Ashok Kumar, Deputy Conservator of Forests, Social Forestry Division, Vijayawada by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964. Hence the Article of Charges.

2. The Charged Officer acknowledged the receipt of Articles of Charges on 10.04.2017 and submitted his written statement of defense, dated Nil. Orders have been issued in Memo., 2nd read above, according permission to the Principal Chief Conservator of Forests & HoFF, A.P., Guntur for appointment of Conservator of Forests, Rajahmundry Circle as Common Inquiry Officer and the Divisional Forest Officer, Social Forestry Division, Vijayawada as Common Presenting Officer in both cases of Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada and Sri B.V.S.R. Prasad, Forest Range Officer, earlier Social Forestry Range, Nuzividu, Rajahmundry Circle. Accordingly, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur appointed the Chief Conservator of Forests, Rajahmundry Circle as Common Inquiry Authority and the Divisional Forest Officer, Social Forestry Division, Vijayawada as Common Presenting Authority in Proc.No.9258/2015/Vig-1 (i&ii), dated 03.10.2017, to inquire into the charges framed against the said Government servants.

3. The Charged Officer in his representation, dated Nil. has represented that he had attended the enquiry conducted by the Chief Conservator of Forests, Rajahmundry Circle on 18.09.2019 and after that the Chief Conservator of Forests, Rajahmundry was transferred and Sri N. Nageswara Rao, IFS was posted as Conservator of Forests, Rajahmundry, due to which, enquiry findings could not be finalized. Further, he has also represented that Sri N. Nageswara Rao, IFS, presently Chief Conservator of Forests, Rajahmundry Circle as his batch-mate in ACF training and requested to change the Inquiring Authority.

4. The Government have examined the matter and issued orders in the reference 3rd read above, appointing the Conservator of Forests, Visakhapatnam Circle in place of Conservator of Forests, Rajahmundry Circle as the Inquiring Authority to conclude the inquiry proceedings on the charges framed against Sri K. Ashok Kumar, formerly Deputy Conservator of Forests & presently working as Divisional Forest Officer, CRSD, Tirupati and Sri B.S.V.R. Prasad, Forest Range Officer, Social Forestry Range, Nuzividu of Social Forestry Division, Vijayawada.

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5. The Inquiry Officer & Conservator of Forests, Visakhapatnam Circle has completed the inquiry and submitted his findings in Rc.No.2579/2021/M8, dated 21.10.2021, wherein the Inquiry Officer concluded as follows:

Charge-I: Not Proved.
Charge-II: Proved.
Charge-III: Proved.
Charge-IV: Not Proved.
Charge-V: Proved.
Charge-VI: Proved.

6. The Government have accepted and communicated the findings of the Inquiry Officer to the Charged Officer vide Memo., 4th read above, for submission of further defense. The Charged Officer acknowledged the findings of the Inquiry Officer and submitted his further defense statement vide reference 5th read above.

7. After careful examination of the matter with reference to findings of the Inquiry Officer and further defense statement of the Charged Officer, Government have taken a decision to impose a punishment of "withholding of 1 (one) increment with cumulative effect in addition to recovery of loss apportioned on Charged Officer, i.e., total loss as Rs.31,34,697/-, out of which, Rs.15,67,348/- being 50% share + Interest as per G.O.Ms.No.33 of Finance Department, dated 09.02.2006" against Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

8. On Communication, the Secretary, A.P. Public Service Commission in the letter 7th read above, has informed that the Commission agreed with proposal of the Government to impose a punishment of "withholding of 1 (one) increment with cumulative effect in addition to recovery of loss as Rs.31,34,697/-, out of which Rs.15,67,348/- being share + Interest as per G.O.Ms.No.33 of Finance Department, dated 09.02.2006" against Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada.

9. After careful examination of the entire matter, the Government hereby order to impose a punishment of "withholding of 1 (one) increment with cumulative effect in addition to recovery of loss apportioned on Charged Officer, i.e., total loss as Rs.31,34,697/-, out of which Rs.15,67,348/- being 50% share + Interest as per G.O.Ms.No.33 of Finance Department, dated 09.02.2006" against Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

10. The Principal Chief Conservator of Forests & HoFF, A.P., Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Ashok Kumar, Deputy Conservator of Forests, earlier Divisional Forest Officer, Social Forestry Division, Vijayawada through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.

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The Principal Chief Conservator of Forests & HoFF, A.P., Guntur.

Copy to:

The Accountant General (A&E), A.P., Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.(w.r.t. their Lr.No.GAD03-APPSC0DCC/34/2022-DC SEC-APPSC Computer No.1750758, dated 18.07.2022).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The O.S.D. to M (Energy, EFS&T, Mines & Geology).
The PS to the Special Chief Secretary to Government, EFS&T Department.
SF/SC (Computer No.160166).

//FORWARDED :: BY ORDER//

SECTION OFFICER